

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.06 N, Closed Area No. 23-B, Southwestern Southport Island, promulgated on February 17, 1988, is repealed and replaced with the following rule:

TEXT OF RULE: 95.06 N, Closed Area No. 23-B, Southwestern Southport Island

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the tributaries, flats and waters inside of a line beginning at the southwesternmost tip of Pratts Island and running southeasterly to the southwesternmost tip of Southport Island.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: May 5, 1999

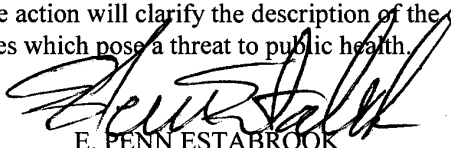
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TIMES RECORD
May 11, 1999

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.06 N, Closed Area No. 23-B, Southwestern Southport Island, promulgated on February 17, 1988, and replaces it with a new one. This new regulation re-describes the southern boundary of the closure to eliminate an overlapping description with DMR Regulation 95.06 C, Closed Area No. 23, Boothbay Harbor - Damariscove Island Area.

DMR personnel have determined that this administrative action will clarify the description of the closed area. The flats and waters in this area are closed due to overboard discharges which pose a threat to public health.


E. PENN ESTABROOK
DEPUTY COMMISSIONER



Department of Marine Resources

Legal Notice of Shellfish Closure Area

C23-B

Pratts
Island

Southport
Island

Closed

Cape
Island

